

Date Filed: \_\_\_\_\_  
Court Date: \_\_\_\_\_UNITED STATES DISTRICT COURT  
COUNTY OF NEW YORK

DISTRICT:

Attorneys: YUEN &amp; YUEN PH: 212-608-1178

Address: 132 NASSAU STREET, SUITE 1300 NEW YORK NY 10038 File No.:

NEW YUEN FAT GARMENTS FACTORY LIMITED

vs

Plaintiff(s)/Petitioner(s)

AUGUST SILK, INC, ET ANO

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NEW YORK, SS.:

## AFFIDAVIT OF SERVICE

Markland J. Harrison, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On October 4, 2007 at 4:00PM, at 499 SEVENTH AVENUE, 6 SOUTH TOWER, NEW YORK, NY, deponent served the within Summons and Complaint

on: AUGUST SILK INC., Defendant therein named.

- #1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- #2 CORPORATION ☒ By delivering thereat a true copy of each to FABIAN "SMITH" personally, deponent knew the person so served to be the MANAGING AGENT of the corporation, and authorized to accept service on behalf of the corporation.
- #3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to \_\_\_\_\_ a person of suitable age and discretion. Said premises is recipient's: [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.
- #4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business [ ] dwelling house (place of abode) within the state.
- Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
Address confirmed by \_\_\_\_\_
- #5 MAIL COPY ☐ On \_\_\_\_\_, deponent completed service by depositing a true copy of each document to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York [ ] and Certified Mail # \_\_\_\_\_
- #6 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
Sex: Female Color of skin: Brown Color of hair: Black Age: 30 - 40 Yrs. Height: 5' 0" - 5' 3"  
(use with #1, 2 or 3) Weight: 161 - 200 Lbs. Other Features: Glasses
- #7 WIT. FEES ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.
- #8 MILITARY SRVC ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of New York and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.
- #9 USE IN NYC CIVIL COURT ☐ The language required by NYCRR 2900.2 (e), (f) & (h) was set forth on the fact of said summons (es).
- #10 OTHER ☐

Sworn to before me on October 5, 2007

WENDY RESNICK  
NOTARY PUBLIC, State of New York  
No. 01RE5067464, Westchester County  
Commission Expires Oct. 15, 2010

Markland J. Harrison  
Server's Lic # 1080830  
Invoice/Work Order # 07025251

UNITED STATES DISTRICT COURT  
COUNTY OF NEW YORK

DISTRICT:

Attorneys: YUEN &amp; YUEN PH: 212-608-1178

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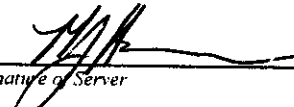

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- #10 OTHER ☐

Sworn to before me on October 5, 2007

WENDY RESNICK  
NOTARY PUBLIC, State of New York  
No. 01RE5067464, Westchester County  
Commission Expires Oct. 15, 2010

Markland J. Harrison  
Server's Lic # 1080830  
Invoice/Work Order # 07025251

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>October 4, 2007 AT 4pm</u>	
NAME OF SERVER (PRINT) <u>Markland J. Harrison</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>ADAMS + SMITH INC. 499 SEVENTH AVE, 6 SOUTH TOWER NEW YORK, NY</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____		
<input type="checkbox"/> Other (specify): _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL <u>\$0.00</u>
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">           Executed on <u>October 5, 2007</u>  <small>Date</small> </div> <div style="width: 60%;">   <small>Signature of Server</small> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 30%;">   <b>WENDY RESNICK</b>            Notary Public, State of New York            No. 01RE5067464            Qualified in Westchester County            Commission Expires Oct. 15, <u>2010</u> </div> <div style="width: 60%;">           _____  <small>Address of Server</small> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.